

**AMENDMENTS TO THE DRAWINGS:**

The Applicants respectfully present herewith replacement Figure 1, which includes changes, without markings, and which complies with 37 C.F.R. §1.84. The changes made to Figure 1 are explained in the accompanying remarks section below.

## **REMARKS**

The Office Action dated October 7, 2005, has been received and carefully noted. The above amendments and the following remarks are submitted as a full and complete response thereto.

By this Amendment, Figure 1 has been amended. Claims 8 and 9 have been canceled, claims 1-7 and 10-18 have been amended and new claims 19 and 20 have been added. The amendments to the claims do not narrow the scope of the claims but merely clarify existing features recited therein. Claims 1-7 and 10-20 are pending and respectfully submitted for consideration.

### **Amendment to the Drawings**

The Applicants noted a typographical error in the drawings and have amended "Figur 1" to read --Figure 1--. No new matter has been added.

### **Objections to the Claims**

Claims 8 and 9 were objected to for minor informalities. Responsive to this objection, the Applicants have rewritten claims 8 and 9 as new claims 19 and 20 and respectfully submit that all claims are in compliance with U.S. patent practice.

### **Rejections Under 35 U.S.C. § 102**

Claims 1-4, 9-12 and 17 were rejected under 35 U.S.C. § 102(e) as being anticipated by Kong (U.S. Patent No. 6,576,329 B2). As noted above, claim 9 has been canceled. The Applicants traverse the rejection and respectfully submit that claims 1-4, 10-12 and 17 recite subject matter that is neither disclosed nor suggested by Kong.

The claimed invention is a security document card. Security document cards are sewn or glued into passports wherein regions of the cards are severely bent or

perforated as a result of the seam. Due to frequent opening and closing of the passport, the material of the cards is severely stressed, but does not break. Further, the cards of the present invention provide temperature stability and environmental compatibility and can be printed upon or engraved with information. The stability and rigidity of the security document card of the present invention allows the card to be turned over easily by hand. Accordingly, the security document card of the present invention has a thickness of at least 120  $\mu\text{m}$  for the support and at least 100  $\mu\text{m}$  for the layer thickness so that the total thickness amounts to at least 220  $\mu\text{m}$  (8.7 mils) See page 3, lines 10-16 of the specification. The Applicants respectfully submit that Kong fails to disclose or suggest the claimed features of the invention, and therefore, fails to provide the critical and non-obvious advantages provided by the invention.

With respect to claim 1, the Applicants respectfully submit that Kong fails to disclose or suggest the claimed features of the invention. Claim 1 recites a security document card. In contrast, Kong discloses a multilayer thermoplastic film. The thermoplastic film is not comparable to the security document card of the present invention and therefore, does not provide the critical and non-obvious advantages of the present invention as discussed above. Accordingly, Kong fails to disclose or suggest each and every feature of the invention as recited in claim 1.

With respect to claim 12, the Applicants respectfully submit that Kong fails to disclose or suggest the claimed features of the invention. Claim 12 recites that the coating containing polycarbonate is fastened to the support by means of a hot-melt adhesive. The Office Action took the position that Kong teaches, "that the laminate may be formed using hot melt adhesives (col. 6, lines 9-27, for instance)". See page 3, lines

14-15 of the Office Action. However, the Applicants respectfully submit that there is no disclosure or suggestion that the heat sealability of the first and second skin layers in Kong involves a hot-melt adhesive as recited in claim 12.

Further, column 6, lines 9-27, does not disclose hot-melt adhesives. In contrast, this section of Kong discloses heat sealable blends. Heat sealable blends are not comparable to hot-melt adhesives. Thus, the application of a heat seal is a different process from the application of a hot-melt adhesive. The Applicants respectfully submit that the Kong reference fails to disclose at least the feature of a hot-melt adhesive that fastens a coating containing a polycarbonate to a support containing a high-density polyethylene and a linear low-density polyethylene, as recited in claim 12.

With respect to claim 10, the Applicants respectfully submit that Kong fails to disclose or suggest the claimed features of the invention. Claim 10 recites a coating that comprises information engraved or written on by means of a laser. The Office Action took the position that the engraving or writing limitation of claim 10 is not distinguishable over Kong, because the applicant is not claiming any functional relationship between the printed matter and the claimed article. See page 3, lines 8-13 of the Office Action. The Office Action cited M.P.E.P. § 2112.01 in support of the rejection. However, M.P.E.P. § 2112.01 provides that “[w]here the only difference between a prior art product and a claimed product is printed matter that is not functionally related to the product, the content of the printed matter will not distinguish the claimed product from the prior art.” (Emphasis added). In this case, claim 10 recites the structural feature of engraving or writing; claim 10 does not recite the content of the engraving or writing. The Applicants respectfully submit that the laser engraving

or writing results in a product that is different from the product of Kong, which has no laser engraving or writing. As such, M.P.E.P. 2112.01 is not applicable to at least claim 10 of the present application.

According to U.S. patent practice, a reference must teach every element of a claim in order to properly anticipate the claim under 35 U.S.C. §102. In addition, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628,631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). “Every element of the claimed invention must be arranged as in the claim. . . . [t]he identical invention must be shown in as complete detail as is contained in the patent claim.” Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236 (Fed. Cir. 1989) (emphasis added). The Applicants respectfully submit that Kong does not disclose or suggest a security document card as recited in claim 1, or a coating containing polycarbonate being fastened to the support by means of a hot-melt adhesive, as recited in claim 12. Accordingly, Kong does not anticipate claims 1 and 12, nor are claims 1 and 12, obvious in view of Kong. As such, the Applicants submit that claims 1 and 12 are allowable over Kong.

With respect to claims 2-4, 10, 11 and 17 the Applicants respectfully submit that Kong also fails to disclose or suggest the claimed features of the invention. Claims 2-4, 10, 11 and 17 depend from claim 1. As discussed above, Kong fails to disclose the features of the invention recited in claim 1. As such, Kong fails to disclose or suggest the features of the invention as recited in claim 1, and, therefore, dependent claims 2-4, 10, 11 and 17.

### **Rejections Under 35 U.S.C. § 103**

Claims 5-8, 13-16 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kong. As noted above, claim 8 has been canceled. The Applicants traverse the rejection and respectfully submit that claims 5-7, 13-16 and 18 are allowable based upon their dependency from allowable claims 1 and 12.

In view of the above, with respect to the rejection of claims 1 and 12, the Applicants respectfully submit that the Office Action has failed to establish a *prima facie* case of obviousness for purposes of a rejection of claims 5-7, 13-16 and 18 under 35 U.S.C. §103.

In addition, the Applicants respectfully submit that major differences exist between a film for packaging and a security document card. With respect to claim 19, the Applicants respectfully submit that Kong fails to disclose or suggest the claimed features of the invention. Claim 19 (claim 8 rewritten) recites the layer thickness of the support being at least 120  $\mu\text{m}$  and the layer thickness of the coating being at least 100  $\mu\text{m}$ . The Office Action took the position that Kong discloses a range of thicknesses for the various layers and selecting optimum or workable ranges is not considered to be inventive. See page 4 lines 4-6 of the Office Action. However, under U.S. patent practice, a *prima facie* case of obviousness may be rebutted by showing that the art, in any material respect, teaches away from the claimed invention. In re Geisler, 116 F.3d 1465, 1471, 43 USPQ2d 1362, 1366 (Fed. Cir. 1997). See MPEP 2144.05 III. In contrast to claim 19, Kong discloses that the thickness of the film is merely 20 microns and that each of the first skin layer and second skin layer is "less than about 2 microns".

See column 6, lines 28-33 of Kong. As such, Kong teaches away from a layer thickness of the support of at least 120  $\mu\text{m}$  and a layer thickness of a coating of at least 100  $\mu\text{m}$ . Therefore, Kong teaches away from the claimed invention and cannot provide the critical and non-obvious advantages of the present invention discussed above.

### **Conclusion**

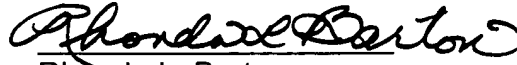
Claims 2-7, 10, 11, 19 and 20 depend from claim 1 and claims 13-16 depend from claim 12. The Applicants respectfully submit that each of these claims incorporate the patentable aspects thereof, and are therefore allowable for at least the same reasons as discussed above. Accordingly, the Applicants respectfully request withdrawal of the rejections, allowance of claims 1-7 and 10-20 and the prompt issuance of a Notice of Allowability.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper,

may be charged to counsel's Deposit Account No. 01-2300, **referencing Attorney Dkt. No. 103196-00008.**

Respectfully submitted,



Rhonda L. Barton  
Attorney for Applicants  
Registration No. 47,271

**Customer No. 004372**

ARENT FOX PLLC

1050 Connecticut Avenue, N.W., Suite 400

Washington, D.C. 20036-5339

Tel: (202) 857-6000

Fax: (202) 638-4810

RLB/wbp

Enclosures: Drawing Figure 1